IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 60 of 2005 (S/B)

Dr. Dinesh Kumar Srivastav
S/o Mr. Jagat Mohen Lal Srivastav
R/o Municipal Quarters
Civil Hospital, Mussoorie **.....Petitioner**

Versus

1. State of Uttaranchal through
Principal Secretary, Medical health
and Family Welfare, Secretariat
Dehradun.

2. Chief Medical Officer, Dehradun.

3. Dr. Reeta Dhawan, at present posted at
Community Health Centre, Landhour Bazaar
Mussoorie, R/o Karanpur, Dehradun.

4. Dr. Sanjeev Dutta at present posted at
Community Health Centre, Landhour Bazaar
Mussoorie, R/I Balli Wala Chowk, Dehradun.

5. Sri Tilak Raj Beher
Minister Health, R/o Vidhan Sabha Bhawan
Dehradun.

..... Respondents

Shri A.Rab, Advocate for the petitioner.
Shri B.P. Nautiyal, Advocate assisted by Shri H.M. Bhatia, Advocate for the respondents.

Coram: Hon. P.C. Verma, J.
Hon. J.C.S. Rawat, J.

Dated: December 08, 2005

PER HON'BLE P.C. VERMA, J.

By means of this writ petition, the petitioner has prayed for writ of Certiorari quashing the impugned order of

Principal Secretary, Medical Health and Family Welfare, State of Uttaranchal, Dehradun-Respondent No.1 (Annexure No.9) transferring the petitioner from St. Mary Hospital, Mussoorie to Deputy Chief Medical Officer, Tehri vide transfer order No.685/XXVIII-2-2005- 115/2005 dated 08.04.2005.

2. The order of transfer of the petitioner was passed in the year 2005. Since, the petitioner has stayed for one year in terms of the interim order date 26.04.2005 passed by this Court, therefore, we are not inclined to affect the petitioner at this juncture. Therefore, it is provided that the interim order dated 26.04.2005 passed by this Court will come to an end when a fresh order is passed and the decision of general transfer is made for the year 2006. However, the said interim order will continue upto April, 2006. This order has been passed as both the parties agree to this order.

3. With the aforesaid observation, the petition is disposed of finally.

(J.C.S. Rawat, J.) **(P.C. Verma, J.)**

Rajeev Dang